

**Federal Defenders
OF NEW YORK, INC.**

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By Hand and ECF

The Honorable Brian M. Cogan
United States District Court Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

October 14, 2011

Re: United States v. Mignano et al, 10-CR-667 (BMC)

Your Honor:

I represent Ms. Maresca, one of three defendants in this case charged with conspiring to possess with intent to distribute more than five kilograms of cocaine and 100 kilograms of marijuana. Jury selection is scheduled for December 5, 2011, with trial commencing a week later. Motions *in limine* are currently due on October 17, 2011.

I write with the consent of all defense counsel and the government. The parties ask the Court to hold the motion schedule in abeyance and schedule a status conference for early November. As the Court was recently notified by Pretrial Services, Ms. Maresca is currently hospitalized. Due to Ms. Maresca's hospitalization, I cannot be sure she will be able to proceed with trial as scheduled. Moreover, there have been ongoing plea negotiations which may obviate the need for motion practice at least as to some of the defendants.

Finally, the parties do not anticipate the motions will involve particularly complex or unusual issues that would require a significant amount of time for the parties to brief or court to decide in the event the case proceeds as scheduled.

Respectfully submitted,

/s/
MICHAEL D. WEIL
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cc: AUSA Anthony Capozzolo
Curtis Farber (by ECF)
Frank Handelman (by ECF)